

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Adam Nagle

v.

Case No. 08-cv-432-SM

FNU Jorgenson, et al.

ORDER

After due consideration of the objection filed, I herewith approve the Report and Recommendation of Magistrate Judge Muirhead dated December 18, 2008, for the reasons as set forth therein. The following claims will proceed against Gerry, Jorgenson and the four unnamed corrections officers in their individual capacities:

(1) Eighth Amendment claims alleging use of excessive force;

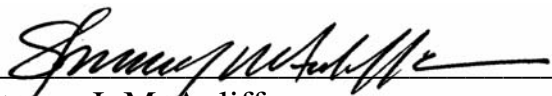
(2) First Amendment retaliation claims alleging denial of the right to petition the government for redress of grievances; and

(3) related state law claims alleging intentional infliction of emotions distress.

All remaining claims are hereby dismissed.

SO ORDERED.

January 5, 2009



Steven J. McAuliffe
Chief Judge

cc: Adam Nagle, pro se